

2/1/2011

Minutes of a Town of Riverhead water district meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, February 1, 2011 at 2:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Resolution #87

Councilwoman Giglio: "Authorizes town clerk to advertise for bids project No. RDWD 10-03 interim and permanent treatment at Well No. 17-1 Contract G - general and mechanical construction Contract E - electrical construction Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Meeting adjourned

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, February 1, 2011 at 2:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter: "Denise Civileti, would you lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited and the invocation was led by Denise Civileti.)

Supervisor Walter: "All right. Well, maybe -- in my effort to shamelessly promote every downtown business that we have, I have this new t-shirt. I want to hone in on this. This is the Riverhead Project, Dennis McDermott is building a new restaurant in the Chase building down on Main Street. Legislator Romaine actually got his health department permits ready for the food services which is fantastic. He's going to open up in April. He's just about right across the street from the aquarium and so for those business owners who want to be shamelessly promoted, all it takes I guess is a free t-shirt for the supervisor. But this is a Riverhead project. This is the logo and that's why I'm wearing this wonderful red shirt.

All right."

Councilman Dunleavy: "Seeing that you said that-- "

Supervisor Walter: "What have you got?"

Councilman Dunleavy: "He wanted to be open by April. Is the old Costa Rica which is going to be a barbeque-- home style barbeque southern restaurant and they hope to be open by April also. They're working in there previously to get it going."

Supervisor Walter: "Well, that's good. They should see Legislator Romaine for those health department permits."

Joan Finck is not here for the invocation. Does anybody like-- would anybody like to do the invocation for our town board meeting? I don't see anybody jumping up. Okay. Well, then we're going to move on."

Supervisor Walter: "And we have-- well, we have an Employee of the Year, of the second quarter rather. Donna-- I'm sorry, fourth quarter."

Donna Trojanowski and labor/management committee, you want to come on up? I see-- I screwed up the order, John. I like to mix it up a little bit.

Our representative from labor/management. I really need to wear this extra t-shirt because we keep the boardroom at 65 degrees, saving taxpayers' money here. All right, who's speaking? Mary Ann. I do, I want you to speak without it. Would you like the proclamation?"

Mary Ann: "Im appreciation of your dedication and kindness not only to the senior citizens but to your fellow employees. You represent a fine example of what anyone would regard an outstanding employee."

~~It's been my pleasure personally to work in the same building as you and you always have been positive no matter what the day brings. You are truly the employee of the quarter."~~

Supervisor Walter: "Donna, I just want to say that-- before I say that on behalf of the board, what's in here-- what you just said, Mary Ann, struck a chord, positive."

All too often we find ourselves, and these are tough times and we've made some really difficult decisions, and it is rare to find an employee that stays positive and stays focused.

And, Donna, it sounds to me like the members of the labor/management committee, the members of the senior citizens center believe that you are that type of person and you exemplify what we want in a town employee and we thank you for your dedication and it won't be raining forever.

So, Councilman Gabrielsen, could you let the board know, everybody know what day it is today?"

Councilman Gabrielsen: "Today is Donna Trojanowski Day."

Supervisor Walter: "Do you have your family or anybody here? Come on up guys. Come up, Mom. You want to spin the camera around and get some close up shots?"

(Some inaudible comment)

Donna Trojanowski: "I want to say a little something but I'm nervous. I'm going to read it.

I would like to thank the labor/management committee for being chosen as employee of the quarter and thank you, Mary Ann, for the nomination. And I enjoy working so much at the senior center with everyone.

You all work very hard toward our goal of serving our senior community which is considered one of the best. This I hear from others (inaudible).

So I humbly this award and thank everybody again."

Supervisor Walter: "On behalf of the board, Donna, thank you for exemplifying everything we look for in an employee."

Donna Trojanowski: "Thank you very much."

Supervisor Walter: "Have a nice afternoon. Would you guys like to say something? Let's get a whole family picture. Step in the picture. There we go.

All right, thank you everybody. Mom and Dad, does anybody want to speak?"

Mary Ann: "Don't forget, a day off with pay and a hundred dollar savings bond."

Supervisor Walter: "A day off with pay and a hundred dollar savings bond goes along with that. Sorry I forget about that."

All right. John, now I know why you're the senior councilman because you keep the order of the business going."

Councilman Dunleavy: "Donna, just watch out. The last one we gave this to we laid off. We did."

Supervisor Walter: "Okay. Who is recording in the back there? Recording in the back. Who is that recording in the back over there? Is that your competition? Who are you? Oh, well, I've got to put glasses on, sorry."

John, could you get us back on track here?"

Councilman Dunleavy: "Okay. I'd like to make a motion to approve the minutes of January 19, 2011. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "All right. Don't go to correspondence because we have a special guest coming in. We have Ruger coming in. Carol, if you could bring Ruger in. Here we go. Back up front, board."

In an effort now to shamelessly promote the Riverhead Animal Shelter, every time we have a board meeting at 2:00 and we have animals that like to come to the shelter, we bring them from the shelter to visit us, we bring them and this is Ruger.

It's an American Staffordshire Terrier. Gender, male, neutered. Age three. He's handsome. Ruger is housebroken, knows

basic commands and is very playful. He appears to be good with other dogs and has previously lived with children. He's crate trained so crating him in a new home should not be a problem.

Ruger is up to date with all his vaccinations, is micro-chipped and is available for adoption.

He actually does look like a great dog. So can you get a good shot of that dog there? Look at him, that's a strong dog right there.

So he's available for adoption. Come here guy. Here animal guy. I appreciate that, thank you.

All right. Well, he's available at the animal shelter for adoption. All right, well, thank you very much.

All right. Now on to Correspondence."

CORRESPONDENCE:

Jenn Hartnagel, Group for the East End	letter submitted January 28, 2011 re wading River Route 25A western Sound Avenue corridor study
---	--

Diane Wilhelm: "There was a letter from Group for the East End and this is from several people although I just have Jenn Hartnagel there. It's also from Dominique Mendez and others and I'm going to ask Dominique for her help. Who are the other two, Dominique, that sent in the letter?"

(Inaudible comment)

Diane Wilhelm: "Okay. Group for the East End, Wading River Civic Association and Riverhead Neighborhood Preservation Coalition. Okay, I got it. Thanks for your help.

CORRESPONDENCE (Cont'd.)

Linda L. Hobson	letter submitted January 28, 2011 expressing concern for the residents of Horton Avenue with regard to storm of March 29,
-----------------	--

2010

REPORTS:

Tax Receiver	total tax collection dated Jan. 20, 2011 - \$63,379,013.60
	total tax collection dated Jan. 27, 2011 - \$63,589,034.27
	Total utility collections 2010 annual report \$3,494,698.52
Sewer district	discharge monitoring report December, 2010
Police Department	monthly report for December, 2010
Town Historian	annual report 2010

Diane Wilhelm: "There are no public hearings scheduled for today. And that's it."

Supervisor Walter: "Okay. Are there any committee reports?"

Councilman Gabrielsen: "I just wanted to mention one thing. The hunt up at EPCAL has now ended. It's been somewhat of a success and the hunters have donated a little under \$300.00 to the animal shelter. So we appreciate it and we want to thank them for that."

Supervisor Walter: "Good job. Thank you very much. All right. No other reports, we will open the floor to public comment on- "

Councilman Dunleavy: "Can I make a motion that we close- "

Supervisor Walter: "We're going to open it up for public comment. No, now you're on the wrong side. We're going to have public comments on the resolutions. Open it up for public comment on the resolutions."

Does anybody wish to be heard on any of the resolutions? Yes."

Dominique Mendez: "Do I have to state my name?"

Supervisor Walter: "Yes."

Dominique Mendez: "Okay. Dominique Mendez, Wading River."

Supervisor Walter: "Because the stenographer takes the minutes from a tape."

Dominique Mendez: "She- I don't see a- the stenographer is here?"

Supervisor Walter: "No. No. They- "

Councilman Wooten: "She transcribes it."

Supervisor Walter: "It's not a tape anymore. It's a CD. She transcribes it. Dominique Mendez, Wading River."

Dominique Mendez: "Yes. Wading River. And I wanted to ask you about Resolution 106, that is- can you just give me a little more detail on that one? Authorizes law firm of Smith, Finkelstein, Lundberg."

Diane Wilhelm: "The first agenda that went out has been amended. We realized we had some errors. So- "

Dominique Mendez: "Yeah, I have a printout. So is that- you don't have- oh, okay. I have this from like two hours- a couple of hours before."

Supervisor Walter: "Tara, is that resolution out now?"

(Some inaudible discussion)

Dominique Mendez: "Do you know what that is? Is it still on there?"

(Some inaudible discussion)

Supervisor Walter: "I think it was moved to a different spot."

Dominique Mendez: "Yes. Resolution No. 81, see that one with

Smith, Finkelstein, Lundberg, Isler, Yakaboski, blah, blah, blah."

Supervisor Walter: "81."

Dominique Mendez: "81. Could you just give me a little more detail on that and what case is it?"

Supervisor Walter: "That's the Kar McVeigh case, the Jamesport Manor Inn."

Dominique Mendez: "Okay, great. So you're retaining a lawyer for that appeal."

Supervisor Walter: "If this resolution gets adopted. Yes."

Dominique Mendez: "Okay. And although I think I and lots of residents would be very happy if that does pass, I think that's a good thing for the town to do."

I did want to raise one issue and just one concern which is, I'm not sure if you're aware, but I noticed on the firm name is Yakaboski and Mr. Yakaboski also I think represented Jedediah Hawkins in their bid- "

Supervisor Walter: "He's not part of the firm."

Dominique Mendez: "He's not?"

Supervisor Walter: "His name is still on the letterhead but he's not part of that firm anymore."

Dominique Mendez: "He's definitely not part of that firm, not associated with it, even though it's on the letterhead."

Supervisor Walter: "Correct. Yes. Yes, their name- like McDonald's, just their name but he's not part of the firm."

Dominique Mendez: "Don't they normally take lawyers if they're not- it just stays there indefinitely. Okay."

Supervisor Walter: "Something they negotiated among themselves."

Dominique Mendez: "Okay. But he's not- so there's no

conflict because- "

Supervisor Walter: "No, he's not part of that firm."

Dominique Mendez: "Okay. Great. Thank you very much. That's it."

Supervisor Walter: "All right. Thank you. Does anybody else wish to discuss any resolutions?"

Matt Hattorff: "Matt Hattorff, Riverhead. Resolution 70, 71 and 82. What exactly are these? Are we hiring more firms to- "

Supervisor Walter: "This is where we are, Matt. As much as we have tried and the accounting department has done everything they can including work overtime which your members have received overtime doing, they are not in a position to catch up, with the audits.

They have told us that they were going to have certain deliverables done at certain times and because of the issues dealing with the town and budgets and everything else, they have not been able to do what it is that we've asked them to do in the time frame that is required.

So I sat down with AVZ which is our auditing firm and asked them what is necessary because there's nothing-- from a financial standpoint, there is nothing more important to me and I think to the board than to get the financial audits done.

The 2008 audit should be done. It was done. There was a mistake and that has been corrected and it should be. The '08 audit was originally done in the beginning of December. It's going to be released shortly. They are working on the '09 audit but that's not acceptable to me. I want that '10 audit done by the-- what I've asked them to do is have it done by November of '11. That is still late but it's about late with every other town and municipality.

About the only ones that we understand do it on time in Suffolk County are Huntington.

And the point is this. It is-- interest rates seem to be creeping up. There are many states that have been questioned, their

ability to pay their bills. This board didn't spend the money but there's about \$23 million dollars in notes that- or bonds that have been authorized but not sold from '08 and '09.

If we don't put us in a position to sell these bonds, I've been doing everything I can to put off selling short bond anticipation notes because it costs us money. If I don't do everything I possibly can and the board doesn't do everything they possibly can to sell those- to get the audits done to sell those the bonds this summer, we will definitely have to do bond anticipation notes which will cost us more money and we run the risk of the interest rates going up along with the fact that we don't have- I don't have confidence that municipalities are- all the municipalities in the country are solvent anymore and even though Riverhead is solvent, it calls- if other municipalities start to fail around the country, it will be more difficult for us to sell.

So that was a long answer to say yes, we're hiring them for a short period of time. Two different firms. We're hoping to get them done within 35 to 60 days and then they'll be done. And their sole purpose is to finish the audit."

Matt Hattorff: "How much more money is this going to cost us?"

Supervisor Walter: "Roughly about \$50,000. I have the exact number. I can give it to you but it is a cost, Matt. I have no- I have-- but here's the point.

If we don't do it and the interest rates start to go up, that \$50,000 is going to look like a pittance and I really don't want to do it but I have- we've been- I've been the supervisor now just a day over 13 months and we have made some progress in catching up. That's not acceptable to me. I want this done. I want this caught up."

Matt Hattorff: "It just seems like we're spending a lot- maybe it's cheaper just to go ahead and do the short term bonds and get it done with the people that you have."

Supervisor Walter: "No. It won't be."

Matt Hattorff: "I just don't understand how we can keep throwing good money after bad and that's what this seems to be."

Supervisor Walter: "Well, no. This is going to be putting us in a position to have the 2010 audit done when— for the most part when it was supposed to be done.

Right now, we're putting on the final touches on the '08 audit and working on the '09 audit. It's not acceptable to me. And it is resources but it has to be done. And \$50,000 is— bond anticipation notes would be far more expensive than \$50,000."

Councilwoman Giglio: "Yeah, but we already authorized a resolution earlier in the year for Galimari (phonetic) for \$40,000 and we're told that we wouldn't be making progress and—"

Supervisor Walter: "That's not accurate."

Matt Hattorff: "It just— maybe it's not you but we've always had a financial administrator. How is it that we fell so far behind?"

Supervisor Walter: "There was a two year— and you were here, several things happened. I'm not going to go through the tortured history but there was a two year period where there was not a financial administrator full time in this town and when we changed auditing firms, the town and I wasn't here, I don't think anybody on this board was here when we changed auditing firms."

(Inaudible comment)

Supervisor Walter: "When we changed the auditing firms, the things that we found were astonishing and I don't— the town was being treated— the best analogy I can say is like a town from upstate New York in terms of the way it was doing business and we are no longer that town anymore. We are more akin to like a Brookhaven or an Islip, on a slightly smaller scale. And it's just one of those things.

If we don't do it, the financial administrator has been working Saturdays and Sundays and his deputy has been working Saturdays and Sundays. They were here very late last night. You can't work them around the clock but they have been working diligently.

All summer long when my kids were playing baseball, I'd go by there on a Saturday and Bill Rothaar was there working. I can't ask any more than I've already asked from the man and from Scott

Harrington and the department.

Your staff has been fantastic in getting your— not employees, your union people have been fantastic in helping us in getting the job done. Matt, this is the final push and as distasteful as it is, it is something we have to do."

Matt Hattorff: "So what are we looking at? Another two months?"

Supervisor Walter: "It— probably about two months, Bill, do you think to— is what we're looking at with these?"

(Inaudible comment)

Supervisor Walter: "April 30th and then they will be done. Correct?"

(Inaudible comment)

Supervisor Walter: "Right."

Councilman Gabrielsen: "Did you comment, Matt, on the Resolution 72 also? I thought you said 70, 71."

Matt Hattorff: "I believe it was 70 and 71."

Supervisor Walter: "He had asked about 82. What's 82?"

Matt Hattorff: "82 is, I guess, an extension of— "

Supervisor Walter: "Well, yeah. There was an error made in our 2008 audit. Not made— it was a mistake, it was a human error and McMillan was charged at doing some actuarial services for us, I think they're actuarials. And because we made that mistake, we now have to have them re-do what they already previously did.

Matt, I, you know, we're doing the best we can with everything we have and— "

Matt Hattorff: "And I remember a conversation we had that said by January 28th, all of this stuff was going to be done or else. And that's not happening now.

What we're doing is we're throwing more money at it and we're hiring more firms. I'm going to leave it at that."

Supervisor Walter: "Okay. All right. Thank you."

Matt Hattorff: "You know exactly what I'm talking about."

Supervisor Walter: "I know what you're talking about. Thank you."

Does anybody else wish to be heard on the resolutions?"

Councilman Dunleavy: "Sal is here. Does he want to be heard?"

Supervisor Walter: "Sal didn't have enough chance to look at them. I see him feverishly going through."

Larry Oxman: "Larry Oxman. Could you explain in detail Resolution 83?"

Supervisor Walter: "No. The resolution speaks for itself."

Larry Oxman: "That's your response?"

Supervisor Walter: "The resolution— you have to read the resolution and I mean it speaks for itself. The attorneys have told us we have to do this. I'm not sitting up here as an attorney. I mean, Bob, if you want to give a brief— very brief— "

Robert Kozakiewicz: "I really don't think we can comment. It's an ongoing litigation, of course, and you know, since we're in litigation I would (inaudible) the supervisor's comment."

The resolution you know speaks for itself and it's being done for the reasons set forth therein. And I know that it's something that staff in my office has determined we should go."

Supervisor Walter: "Yeah, it's not something we can really go into because of the sensitive matter of the litigation."

Larry Oxman: "Well, I think that hiding behind the fact that there's litigation pending has very little to do with the fact that

the town is putting forth a resolution, whether it speaks for itself or not, and I'm asking for just an explanation of the resolution. I'm not talking about the litigation. And for those that might want to know a little bit more about this.

This happens to be— the litigation that we're referring to is the town litigation against Riverhead Park Corp. which is the subject of this property, an ongoing litigation that's been going on for more than six year.

So I came in here just out of curiosity. I had no idea that this was before me— before the board. And the fact that you're not going to even comment on it, I find that rather outrageous.

Again, no one's talking about the litigation that's going on presently. I'm not asking you about the litigation that's going on presently. I'm asking you to address— "

Supervisor Walter: "Tara, can you come up here?"

Larry Oxman: "I'm asking you to address this resolution that you're passing on behalf of the town."

Supervisor Walter: "And we have. The resolution, you have to read the resolution. If you wish to take it to your attorneys you can take it to your attorneys. I can't speak anymore to that because it has to do with ongoing litigation."

Councilwoman Giglio: "We didn't talk about this in executive."

(Some inaudible discussion)

Supervisor Walter: "Okay. Do you have any other questions?"

Larry Oxman: "Well, since you can't— I find— Sean, I find your attitude outrageous quite frankly."

Supervisor Walter: "I'm not giving you an attitude, Mr. Oxman."

What I'm saying to you is this involves litigation. Apparently you are a party to that litigation and you're asking me legal advice. And as the town supervisor, I cannot give you legal advice.

Our attorney is not going to give legal advice to the board and the public and what I'm saying to you is bring the litigation— bring the resolution to your attorney and your attorney probably could explain it."

Larry Oxman: "Well, then let me rephrase my question. I am clearly not asking you legal advice. I'm clearly asking you as a representative of— as the supervisor of the town to explain this resolution. It's no different than any other resolution that you're going to pass."

Supervisor Walter: "Actually it is because it's litigation and, again, since you're a party to the litigation, and since town supervisors have a tendency and board members to say too much at board meetings that become the subject of litigation, this town supervisor is not going to say much more than you should take this to your attorney and have him review it."

Larry Oxman: "It's a matter of public record."

Supervisor Walter: "You're right."

Larry Oxman: "Very surprising, Sean. Thank you."

Supervisor Walter: "Thank you."

Steve Romano: "Good afternoon. Steve Romano, Riverhead. Just following on Matt's point in regard to the audits.

Once they're finally done and we're caught up because the or else got me wondering what that meant but I think I know what it means.

Is the board's position and the supervisor's position that from now on if it's not done somebody's head is going to roll?"

Supervisor Walter: "I'm sorry, Steve. Is somebody's head going to roll if this doesn't get done?"

Steve Romano: "No, no, no. After it's all done and caught up because apparently this is from prior administrations, prior boards—"

Supervisor Walter: "Is somebody's head going to roll? Yes."

Steve Romano: "Okay. So once we spend this money we're caught up, in the future- "

Supervisor Walter: "People will be held accountable. If I don't go into the- if I don't go into the fall with the financial audits done and by fall I'm saying November, with the 2010 audit done, within a few degrees of reason, like a few weeks, there will be consequences. Absolutely."

Steve Romano: "So it's the position that they would have enough staffing for the future- "

Supervisor Walter: "Moving forward. Yes."

Steve Romano: "Moving- "

Supervisor Walter: "Well, actually I should not say that because there's a couple things the audits are calling for."

The audits are calling a- the audits are calling for a independent auditor to be hired within the town which is something- you worked at the water authority. I'm sure you had an independent auditor.

With budgets the size of ours, we're supposed to have an independent auditor. We don't. And there's also going to be a financial audit committee and I'm actually meeting with three individuals I think next week and if these individuals who are very well respected agree to take the position as a financial audit committee unpaid, I'm going to bring the names to the town board.

There are things we still have to do and we still- according to AVZ, are understaffed, but I don't for the moment we are not going to be doing- hiring any staff. We're going to continue to try to do it with the staff we have."

Steve Romano: "Thank you. Resolution 93. Would you be able to expand on what the stipulation is all about?"

Supervisor Walter: "Can you hold on one second? I'm sorry, go ahead."

Steve Romano: "Resolution 93. Would you be able to expand on what the stipulation states? Is it a generic stipulation for all

the employees or is it something personal of nature for one employee?"

Supervisor Walter: "No. This is a stipulation- when the town on December 27th, when we- I closed town hall because of the blizzard conditions, the staff that normally report to town hall, senior centers, places like that had an excused absence.

The highway workers, the emergency services workers, the sewer workers are being compensated at the rate of time and a half because they didn't get an excused absence and it's basically something- I don't want to use- something a town does under the union contract and we've done in the past. I'm choosing my words carefully."

Steve Romano: "Okay. Just so I'm clear. This is- the stipulation is different than the one that you passed at the last board meeting allowing the people a day off without charging their time.

This is a stipulation for the people that came in to pay them at time and a half."

Supervisor Walter: "Yes. This is- "

Councilwoman Giglio: "The last resolution didn't pass. So they're putting the same resolution up again."

Steve Romano: "So it's all together."

Supervisor Walter: "Yes."

Steve Romano: "Okay. Thank you."

Supervisor Walter: "Okay. Anybody else wish to be heard on the resolutions?"

All right. I'm going to do something very unusual. I'd like a motion to break to go to executive session for about five minutes."

Councilman Dunleavy: "All right. I make a motion that we go to executive session."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and- to discuss resolution- litigation resolution that previously was not discussed with the town board in work session last week."

(Inaudible comment)

Supervisor Walter: "No, I'm doing to tell you. Resolution 83. The resolution 83 apparently was overlooked in executive session and we're going to address it quickly. We shall be back quickly."

Did we all vote on that to go in executive session?"

Councilman Gabrielsen: "I seconded it."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "We voted. We'll be right back."

Meeting adjourned

Supervisor Walter: "Are you almost ready? Tara? Okay. All right, let's go. I've got my gavel. All right."

Can I get a motion to reconvene the town board meeting from executive session?"

Councilman Dunleavy: "I make a motion we reconvene the town board meeting after executive session. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes."

Meeting reconvened

Supervisor Walter: "Okay. Does anybody else wish to be heard on resolutions? No. Then we will take up the resolutions."

Councilman Dunleavy: "I make a motion that we suspend the town board meeting and open the Community Development Agency for resolutions."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes."

Meeting adjourned

Meeting reconvened

Supervisor Walter: "Okay, call them."

Resolution #70

Councilman Dunleavy: "Authorization for supervisor to execute an agreement with East End Accounting Services Corp. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "This is something that I think the supervisor spoke very eloquently about this. It's something that we have to do to get this town and get our bond rating going. So I'm going to vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #71

Councilman Wooten: "Authorization for supervisor to execute an agreement with the Galamery Company, Inc. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Again, my last statement goes the same for this one. So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #72

Councilwoman Giglio: "Authorizes attendance at the Government Finance Officers Association annual conference. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I think this is somewhat of a conflict of the other two resolutions. I mean we're talking about time sensitive. We have to move and hire extra accountants to get the work done. At the same time, we're going to send our accountant away to a conference when, you know, we really need them to be here in the situation. I think it's kind of an emergency situation.

I vote no."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "This is only for two days. It's April 6th to April 8th and by that time this all should be settled and we should be on our way. And education is very important. That's how we got in this problem and I think education is number one.

So I vote yes."

The Vote (Cont'd.): "Walter, no. The resolution is adopted."

Resolution #73

Councilman Dunleavy: "Grangebél Park bulkheading Phase II budget adjustment. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #74

Councilman Wooten: "It ratifies the acceptance of New York State Archives Local Government Records Management Improvement Fund inventory grant. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Yes. This is a \$60,000 grant. This is for your, Diane, congratulations."

Councilwoman Giglio: "And we don't have to match it."

Diane Wilhelm: "No. Yeah, it's pretty good."

The resolution is adopted."

Resolution #75

Councilman Gabrielsen: "Authorizes town clerk to advertise for bids--"

Supervisor Walter: "Before you move that, did we run this through-- and this is acceptable. Okay. Go ahead, George, I'm sorry."

Councilman Gabrielsen: "Are we back to 75?"

Supervisor Walter: "Yes."

Councilman Gabrielsen: "Authorizes town clerk to advertise for bids on 1979 Peterbilt tractor or equal. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. I just want to say that I think our highway superintendent is doing a great job. I was up at the highway and he has an old fire department water truck that he just painted and was going to use for drying for the ice. He has an old New York City truck that he just bought that he's using, the sand. It still has on the front window where it came from, the Sanitation Department of New York City.

But to save our taxpayers money, this is what we have to do and I just want to thank him and vote yes for this."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. And I commend our highway department workers. They are doing a fantastic job. I know some of the residents aren't happy because of the volume of snow but they are doing a fantastic job. Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #76

Councilwoman Giglio: "Authorizes the town clerk to advertise for bids on 1995 Summit aluminum trailer or equal. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. Again, what I said before."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #77

Councilman Dunleavy: "Authorizes highway superintendent to attend annual National Truck Equipment Association convention. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Go learn, Geo. Yes."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "I have to be consistent in my position right through including (inaudible) that we can't afford right now to send people to conventions. This all can be done on line.

So I vote no."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "I think the liaison should go with you. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Again, this is where he's finding out about these huge trucks that we have to buy to keep this highway department going. It's educational, it's informative and the only way that we can stay on top of these things is for him to go and get this education.

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I love you, Geo. But no."

Diane Wilhelm: "The resolution is adopted."

Resolution #78

Councilman Wooten: "Authorizes publication of notice and issuance for developer of workforce housing unit. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #79

Councilman Gabrielsen: "Amends Resolution #1095 of 2005 animal control forms and policy. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I vote yes. This is just adding a new vet to our animal shelter so he can take care of these dogs that we have and keep them healthy as long as they're in our animal shelter.

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. Welcome aboard. This is Dr. (inaudible) and he actually came and screened Ruger before I guess it was last week and went to the animal shelter and screened all the dogs at the animal shelter and gave them their shots and all their various things that need to be done and this board is committed to continue to do that at least I'm thinking on a monthly basis if not more as needed to make sure the dogs get the care that they need

while they're attending our shelter as our guests.

So did I say yes?"

Diane Wilhelm: "I think you did. The resolution is adopted."

Resolution #80

Councilman Dunleavy: "Authorizes the supervisor to execute a license agreement with AEROS Cultured Oyster Company to allow the installation of floating upweller systems (FLUPSY) in East Creek. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I vote yes. They're going to be renting them so we get an income from it.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #81

Councilman Wooten: "81 authorizes the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski LLP to act as special counsel and authorizes the supervisor to execute a retainer agreement. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I would just like to say that I didn't know this resolution was going to be in the packet until about two hours ago. I would have liked to have discussed it in executive

session.

I have asked for information pertaining to this particular suit. We fought for something through our zoning board of appeals--

Supervisor Walter: "Do you want to table it?"

Councilwoman Giglio: "Yes, I do. I want to table it."

Supervisor Walter: "Is there a second to table the motion so we can discuss it with our attorney on Thursday?"

Councilman Dunleavy: "I make a motion we table it. Second."

Councilman Gabrielsen: "And second."

Supervisor Walter: "Okay. Moved and seconded as to table."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, no; Dunleavy, yes; Walter, yes. The resolution has been tabled."

Resolution #82

Councilman Gabrielsen: "Authorizes the supervisor to execute second addendum to professional services agreement with Milliman, Inc. for actuary services. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, absolutely, yes; Dunleavy."

Councilman Dunleavy: "Yeah. This is something that has to be done. We made the mistake and we just have to correct it.

So I have to vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #83

Councilwoman Giglio: "Resolution to provide- this is lawyer talk so I'm going to see if I can get it right- "

Supervisor Walter: "Nunc pro tunc."

Councilwoman Giglio: "-- nunc pro tunc authorization for the office of the town attorney to defend, institute or appear in legal action by or against the owners of property described as SCTM# 0600-119-1-23.1. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy, no; Walter, yes. The resolution is adopted."

Resolution #84

Councilman Dunleavy: "Authorization for supervisor to sign closing certificate and supplemental agreement with NYS EFC. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #85

Councilman Wooten: "Authorizes the supervisor to enter into an inter-municipal agreement among the Peconic Bay Region towns establishing the Peconic Bay Region community preservation fund joint town coordinating committee. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #86

Councilman Gabrielsen: "Public access to records policy. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #87

Councilwoman Giglio: "Authorizes town clerk to advertise for bids project No. RDWD 10-03 interim and permanent treatment at Well No. 17-1 Contract G - general and mechanical construction Contract E - electrical construction Riverhead water district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #88

Councilman Dunleavy: "Authorizes town clerk to publish the advertisement pursuant to NYS Sanitary Code. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #89

Councilwoman Giglio: "It reappoints members to the Suffolk County Town of Riverhead Empire Zone Administrative Board. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #90

Councilman Wooten: "Awards bid for work clothes. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #91

Councilman Gabrielsen: "Ratifies an appointment for a call in assistant recreation leader to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "I'm sorry. Moved and seconded. Vote please."

The Vote: "Giglio, abstain; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #92

Councilwoman Giglio: "Appoints a call in guard to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, abstain; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #93

Councilman Dunleavy: "Authorizes the supervisor to execute a stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead unit of Suffolk County Local #852. So moved."

Councilman Wooten "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #94

Councilman Wooten: "It adopts a local law amending Chapter 64 entitled Fire Prevention of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I just want to say it's-- for some of the operational permits around town brought up our permit fee in line with Brookhaven and Southampton. So we equal or are even still less and it will bring in-- by the existing 2010 amount of permits we have, this year should bring in an additional \$15,000.

I vote yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Jim, are you awake down there?"

Councilman Wooten: "I am."

Supervisor Walter: "Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #95

Councilman Gabrielsen: "Authorizes the town clerk to publish and post public notice of public hearing to consider a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-8 Weight Limit of Eight Tons). So moved."

Supervisor Walter: "Okay. I would like to amend the resolution to- it seems to me something that we messed up on last time.

Diane, this really concerns you. I'd like you to send this to the Brookhaven town supervisor's office and let them distribute it because we're going to amend the road to eight tons but they start out in Brookhaven so if you get a heavy truck coming from Brookhaven they have no place to turn around.

I did speak to Supervisor Lesco about Wading River-Manor Road or I guess it's Wading River-Schultz Road when it enters Brookhaven and I don't know whether they've had the opportunity to look at it but we need to amend it to send it to Brookhaven town."

Councilman Dunleavy: "I second the amendment."

Councilman Gabrielsen: "So moved as amended."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I can say that I have spoken to a few of the businesses out at EPCAL and they do not have objections or the ones I spoke to anyway did not have objections because it does not affect River Road headed in an easterly direction to Edwards Avenue.

They were not aware of the fact that Wading River-Manor Road was- that there was a traffic or a weight limit put on that. So I'm just hoping that we can get these signs up so people are aware of the fact that there is a weight limit on that road seeing as the infrastructure is at risk as Councilman Dunleavy brought up at the night of the hearing."

Supervisor Walter: "Well if I look at my pen here, that's

George Woodson Highway Superintendent, we've got to talk to him. Where did he go?"

Councilman Dunleavy: "He left. He didn't like your remarks so he left."

Councilwoman Giglio: "I will vote yes and I hope that we can get the signs up so we can let people know what we're doing here."

Supervisor Walter: "Yeah, just send an e-mail. He's very good at that. You send an e-mail to him, he probably- I think the signs are up but you- they may not all be back."

Councilman Dunleavy: "George is back."

Councilman Wooten: "Can we vote on this, please?"

Diane Wilhelm: "Continue or- "

Supervisor Walter: "Yeah, continue, let's go."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I vote yes. And, George, after the hearing could you put the weight limit signs up behind Grumman after we have the hearing and pass this?"

Councilwoman Giglio: (Inaudible)

George Woodson: (Inaudible)

Supervisor Walter: "They are up? Okay. Okay."

Councilwoman Giglio: "Did you know about this resolution?"

Supervisor Walter: "Well it has to be up for public hearing. Let's hold the public hearing first. All right."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #96

Councilwoman Giglio: "Authorizes the town engineering

department to facilitate the removal of an unsafe and abandoned structure located at 77 Kay Road, Calverton, also known as Suffolk County tax map #600-115.1-1-43 and to removal costs against the subject property. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Based on the testimony that was given at the public hearing where we did reach out to the owner of the premises and they failed to act, I will vote yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #97

Supervisor Walter: "Hold on a second. George, this is actually does concern you. This 77 Kay Road, since you're here. We're conducting a lot of additional business.

Can you put together a cost estimate for engineering if you want to take this down? This will be a good way to put some additional money in your budget and it would be a lot quicker than going to competitive bid.

This is a small house, 77 Kay Road."

(Some inaudible comment)

Supervisor Walter: "Really? What's keeping you busy? Oh, it's snowing."

Councilman Dunleavy: "This can be after the snow- it's half a house, half of it is burned down, half of it is standing."

Councilman Wooten: "It's on a slab."

Councilman Dunleavy: "It's on a slab, too, so- "

Supervisor Walter: "It would be a good training. Thanks,

George.

Yes, Diane. What are we up to? Keep us on track."

Resolution #97

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, accessory apartments, Section 108-35 applications. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "This is just housekeeping. We've always been charging the \$150 fee but (inaudible), so we're cleaning it up. Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes, for the public hearing. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #98

Councilman Wooten: "Rescinds Resolution #926 of 2010 and authorizes the town clerk to publish and post public notice of public hearing to consider a proposed local law for an amendment to Chapter 108 entitled Zoning of the Riverhead town code, Article XX Section 108-97 Major Subdivision (14)(c) park and playground sites. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "This is moving the fee-- the existing fee is 5,000 for each lot in a subdivision. This will drop to \$3,000.

I vote yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Yes. You may not realize this but we are going to public hearing again because it wasn't posted right in the newspaper. Yeah."

Councilman Wooten: "That's what it's about."

Diane Wilhelm: "The resolution is adopted."

Resolution #99

Councilman Gabrielsen: "Rescinds Resolution #853 of 2010 and authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Peconic River Community Zoning Use District. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #100

Councilwoman Giglio: "Adopts a local law amending Chapter 45 entitled Alarm Systems of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #101

Councilman Dunleavy: "Appoints William M. Duffy to act as special prosecutor for violations of the code of the town of Riverhead. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #102

Councilman Wooten: "Authorizes the supervisor to execute an agreement authorizing the town to accept funds from Suffolk County Office of the Aging to supplement the town's residential repair program for the elderly. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #103

Councilman Gabrielsen: "Resolution to provide nunc pro tunc authorization for the office of the town attorney to defend, institute or appear in legal action by or against the owners of the property described as SCTM#0600-85-3-72.4. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "This one I do know about so I will vote yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #104

Councilman Gabrielsen: "Pays bills. So moved."

Councilwoman Giglio: "And seconded."

Diane Wilhelm: "Oh, wait a minute. No. 104- "

Supervisor Walter: "In rare form we are today. Erase this whole meeting. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Okay, we're going to un-table Resolution 23. 23 was the authorizes the supervisor to execute a municipal cooperation agreement renewal 1, with the Riverhead Central School District regarding unleaded fuel services. This was your brainchild wasn't it?

We're going to un-table it and amend it and I think you have the amended resolution already. Okay.

The resolution is amended taking out section F and reinserting this new section F which I think- I don't know whether you have it. We're going to take out in the first sentence of section F, we're going to end it at devices, put a period there. And from on the, strike that all out and strike out the second full paragraph of F and reinsert it- put a period after the devices and reinsert one paragraph that we took out and that just says for vehicles with mileage tracking capability, the installation cost of additional vehicles shall be \$130 per man hour times 2.5 hours. For vehicles without mileage tracking capability the installation cost for additional vehicles shall be \$135 per hour times 2 man hours.

So we're going to move to un-table it first."

Councilman Gabrielsen: "I make a move to un-table Resolution #23. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 23 is untabled."

Supervisor Walter: "And we're going to move it as amended."

Councilman Dunleavy: "All right. I'd like to move tabled #23 authorize the supervisor to execute a municipal cooperation agreement renewal No. 1 with the Riverhead Central School District regarding unleaded fuel services as amended with the new article F. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I want to vote yes. This is still continuing to save the Riverhead taxpayer money. We are fueling the school district vehicles with unleaded fuel so they don't have to install the tank and go to that added expense.

So I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Good job, yes."

Diane Wilhelm: "The resolution is adopted."

Supervisor Walter: "Okay. We're done with the resolutions. We will open it up to public comment for anything the residents wish to comment on. We ask you to limit your comments to five minutes.

Does anybody— yes, sir. Just step up to the microphone and state your name and hamlet for the record."

Joseph Vento: "My name is Joseph Vento. I live in Port Jefferson. I own property in Wading River as well as the southwest quadrant, what the Main Street concept was through the hamlet study.;

I've been trying to utilize this property over a period of

years. It was bought between me and my father to utilize it because we live in the area and have stores in the area. It was bought in '88, went through the hamlet study. It was altered. Then they devised where we had to put a Main Street concept through it, plans had to be redone.

My existing developing partners who are contractors, they could have built it. They went bankrupt so I bought the property at foreclosure in '89 and due to the— how long it took me to recoup the cost of buying the property, I didn't start resubmitting plans until '94 going into '95.

Shortly after that, things happened that I couldn't develop it. Going into the latter part of the '90's into 2000, I had a very good option to— where a Stop and Shop was going to be going there and it was a done deal. It was through Richmond Corporation. Then your moratorium for the second time came through. That was from 12/1— 12 of '01 through 10 of '03 which basically put the total stop on property. Also reduced the (inaudible) from 20 to 15 meaning that what would have been 58,000 square feet would now be reduced down to less than 42.

The pine barrens now had a second (inaudible) on it because now they had new restrictions where a third had to be set aside, another loss.

Then shortly after that loss we went into— I started the project back up and there was a Rite-Aid Drug Store which was considering going into the project and it would have made it feasible again. Then they decided optionally to go to a different lot there so that was a loss.

My present, for the fifth time I try to submit plans and a major cost of time and money (inaudible), legal fees, cost of the property over 23 years.

Sid Bail is aware of it. I've had conversations. So is Rick Hanley. My face has been around a long time. Went through a lot of different transitions. Now I hear presently the plan is being filed, ready to go, signs have been up. There are tenants that are interested. Now I hear I've always been very open. Civic associations as Sid Bail is aware of and so on, now there's new people that are deciding that this is not the correct use for the property that was purchased for.

I'm going to give you a brief background as to where my family is in this area.

The bottom line, it is what you're calling now an FE something or another— a GEI— a new restriction to reevaluate environmental issues and traffic patterning.

After 23 years, four sets of plans and now it's being filed, I think I have a right to use my property or expect to do that. I've been always open minded to the civic association and everybody else that's involved.

My family has been in the area for over 55 years. We've had five or six businesses in the Port Jeff area for many years. My sister is a teacher, now she's a substitute teacher in the Shoreham-Wading River district, has lived in Wading River for 31 years.

I guess we're considered community people. We're not just transient coming in. I— several of these articles I have read make us look rather ridiculous and we're here just to take.

We originally bought this property to put a shoe store in because that was the business we were in. And from then it went forward that we love Wading River.

The bottom line is at this point in time I'd like to say I have a right to utilize property. I went through the whole system change of two moratoriums, pine barrens (inaudible), reduction in the building capacity of the lot.

I have a good contractor who is my partner who has a very good reputation in the area that's going to be the builder and has done many projects. His name is James Tunis. He has a reputation here of doing the right job. Okay.

I would like to be segregated from the plans now of newcomers who even though— I'm not going to mention names, have been in the area and have developed wonderful projects but their projects were new and they purchased the property recently.

My particular situation is a total hardship over a period of years. If I'm not allowed to utilize my property, then what is the purpose of what I bought it for and why I've literally put another a million and a half worth of my family values— that's a hard work

value, to do exactly what with it."

Supervisor Walter: "Nobody is saying you can't use your property. You can understand that when Wading River is receiving applications to develop a number of projects all at once, that a comprehensive traffic study and a limited scope impact statement should be looked at. Because, sir, if you were from Wading River you would know that 25A is backed up significantly. It starts at that traffic light where McDonald's is and goes all the way into Shoreham.

And it should be that the developers when they're doing this, pay for the expansion of 25A if it has to be expanded or widened. We won't know what needs to be done unless a comprehensive analysis is done.

When the town's master plan was adopted, I don't think anybody including the master planners envisioned that we'd get three major projects like this all in a six month period.

There's nobody that wants to segregate you out. There's nobody that your application is going to be processed. The planning board has rejected the generic environmental impact- excuse me, the limited scope impact statement that I have requested.

I'm researching if there's anything else that can be done but the bottom line is that the traffic has to be addressed and some of the other issues have to be addressed and we're going to process your application. The planning board will process it just as everybody else's application- anybody else's application was submitted."

Joseph Vento: "May I give a rebuttal?"

Supervisor Walter: "You may."

Joseph Vento: "Okay. When I went to many of the meetings when Sid Bail and Riverhead was aware that eventually Wading River-Manorville Road would have to have some sort of a formal change. We've already put in for a light off of Dogwood Road because that's what was originally in the hamlet study and they thought it would be a good idea going through.

The idea of a main street was not my idea to take and dedicate

property of mine and give it to Riverhead. Okay. So that was what they required so I had altered my plans. I'm going way back 20 years."

Supervisor Walter: "I haven't seen your plans. Has Mr. Tunis submitted the plans yet?"

Joseph Vento: "The plans are being submitted by (inaudible) as we speak. Yes."

Supervisor Walter: "Okay. Rick, have we received those plans? Okay. So I can't comment on what you have or don't have."

Joseph Vento: "My only point of being here is I understand the right to use and I have gone through all the changes and the transitions so it's not a new plan and it's not something that's been altered to the new ones that are coming in."

By saying that something has been on the drawing board and has been changed does cause a hardship compared to something that now some of the other master plan changes they got variances changes and changes. I don't know how it was done but it was done.

The fact is now I'm in a situation where I had the right to do it all along and now after plans were consistently sent back and pushed back, I'm sitting in a situation as to being thrown in with other people which caused me a problem."

Supervisor Walter: "All the impacts need to be evaluated and because you're deciding to construct at this point in time when those other people are starting to construct, you are going to be looked at cumulatively with the other properties."

And whether the planning board now decides to do a limited scope impact statement on traffic and some other minor issues or not, I don't know. I am going to suggest that they do. Mr. Tunis spoke to me about your project, I knew it was coming.

I- the master plan was done and I am a resident of Wading River and I'll be honest. I'm not happy with all this construction all at once in this hamlet. The master plan, however, was done. It was done with the full input of the Wading River community. It was done with the full input of- or it was done based on the hamlet study and then there were reductions like the lot coverage from 25 to 15%,

store size to 10,000 square feet.

So as much as I think there's going to be some people from Wading River that speak after you, the Wading River community had complete input to this and the zoning change. So we are in a difficult situation. I am in a difficult situation. The board is in a difficult situation because we don't really control this. The planning board controls it. And they are going to go and process your application.

But nobody wants to see the level of development all at once in one hamlet and that's where those news articles are coming from.

The long and the short of it is submit your application."

Joseph Vento: "Oh, no, I understand that. This was just to bring it up to the board (inaudible) what's going on with it and give a point. As you said with what's going on in Riverhead that you have a dream and this is an opportunity. This opportunity was really pushed only because I had no idea these projects were going forward. Some of them were zoned for exactly this reason, some of them weren't.

Okay. This was the main street concept that went through three transitions over 23 years."

Supervisor Walter: "The trigger for me for the impact statement really comes down to some of the zoning was not envisioned in the master plan, it was won through litigation. But if the planning board does not pick up on that and request a limited scope impact statement, it's a question that we're going to have to ask the town attorney to answer, not today but issue a written opinion and I know I didn't formally ask but I'm formally asking now.

I don't think that the town board personally can request an environmental impact statement in a matter such as this but I'm asking you, Bob, if you can have somebody research that in your office. It is something that I'd like to see done and I know that's going to be an expense to you.

But the last thing that I want to see is all this development get done and then the State of New York, you guys will do what you do whether you rent it or sell it and then the State of New York or the Riverhead taxpayers now have to widen all these roads and put up

all these traffic lights that should be done as part of the development.

And so those are the things that I'm looking at and so submit the application. I'd be interested to see what it looks like."

Joseph Vento: "I should mention when you say the developers go in and they sell. I have a non flip clause (inaudible). Okay. There is no selling (inaudible)."

Supervisor Walter: "Okay."

Councilman Wooten: "Mr. Vento, your property is where again?"

Joseph Vento: "It's between the funeral parlor and the McDonalds."

Councilman Wooten: "On the southwest- okay."

Supervisor Walter: "It's not- it doesn't incorporate the (inaudible) piece though."

Joseph Vento: "No- it will supply 42,000 square feet. We do have some tenants that are interested, you know, major tenants."

Supervisor Walter: "Okay. Thank you, sir."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Sid Bail, who is standing on line."

Sid Bail: "Sid Bail, first vice-president of the Wading River Civic Association.

First of all, I'd like to say that I know Mr. Vento and over the years almost like 23 years and I've always found him to be a gentleman and an honorable person.

It's a difficult situation. Way back in 1987, 1988 when the Wading River hamlet study, the consultants who did this study, one of their conclusions was that there was too much commercially zoned and retail land in Wading River, more than was necessary even based upon projection population growth.

So some things were incorporated in the hamlet study that reduced some of the commercial and retail space.

Fast forward to 2003, it was actually about 1999 when the process began. It started under Vinny Villella and Supervisor Kozakiewicz. We had some very fun filled hours together going through that.

But the different set of consultants in 2003 also said there's too much commercially zoned land based upon population projections, etc. And they said also that it was clear that the residents of the area had no desire to become the new Route 58. All right.

It was also clear that we were trying to avoid suburban sprawl. And as you know, what's the old saying about if you think you like sausage, you know, you don't want to see how it's made.

Well, in a way there was a lot of give and take in terms of the planning— the final document that came in 2003 and, yeah, one of the changes in business CR was the introduction of a limit on the size of store sizes, the 10,000 square feet. I think that was really, really significant.

But as the supervisor pointed out, after the adoption of the comprehensive plan in 2003, there were certain court rulings on behalf of certain property owners that eliminated a transition zone which would have been just to the east of the CVS store, etc. and it went back to the old zoning, business CR and that's the piece that Mr. Zoomas (phonetic) is developing which is his right, I guess. But that's a significant chunk of development that wasn't envisioned in 2003.

Mr. Barra's piece, I'm not even quite sure how that still remains business CR and but the use of it to many people in the area, at least in the community that I talk to, seems a rather intensive use under business CR. And it's more than a mile or a mile and a half away from the area that the consultants and the comprehensive plan visioned as the center of the business district. So you're creating sprawl. Okay.

Now, what's the answer? Well some of us turned to the planning board, we didn't get very far. The planning board rejected the idea of a cumulative study and so you have a letter that's before you and it was signed by, you know, four different groups, or from

four different groups that suggest an approach.

Is it the best approach to get a comprehensive look at this? I don't know. I don't know. If you, you know, the supervisor is saying that you're exploring various options, that's good.

What I do know is this. We can do nothing and say we could have done a better job in 2003, all right. We have to go, you know, with the existing zoning no matter how certain conditions have changed.

But will we have suburban sprawl in Wading River? Yeah, we will have it. Will we have something that resembles more of the— has the potential to resemble something more like Route 58 than the present 25A? Yeah, I think so as well.

So it's kind of like the old cliché. We may manage to snatch defeat from the jaws of victory and, you know, that's what I feel like. And I was a part of the process in 2003 and I feel maybe I should have done a better job. Okay?

And, you know, that's why I'm speaking out right now. It's not one of my high points in my civic career."

Supervisor Walter: "Well you did a fine job. And here's the biggest problem because I'm looking at this and it would not be prudent for the town to follow this course of action and I say this against the backdrop of many lost lawsuits.

The previous board at every occasion either sued or let somebody sue them and didn't— well, give the example, I would desperately love to work something out with Kar-McVeigh but the board didn't leave that opportunity. And now they've approved something that's unpalatable.

The board wouldn't work out anything with Mr. Barra on Park. Now the court has approved something that's unpalatable. The board wouldn't work anything out with Mr. Zoomas. I think it was not Mr. Zoomas, now you've got something unpalatable that you do this, just what I've read on the page.

You will guarantee one thing. You'll probably guarantee that I'll get reelected because the Wading River people love me that I've done this. However, the next guy or my next term when all the

litigation is over and you lose all the litigation, you will wind up with exactly- probably more than we got before and that's my biggest fear.

I don't want my legacy to be a series of lawsuits. So that one of the things that I've asked and I know Ed Romaine is supporting this and he's reached out through a letter that he's written to local newspapers. But I've reached out to the town of Brookhaven to see if we could become part of the corridor study which at the time I thought we didn't need because we did all our work.

And they've basically said that's not going to be feasible for the town because they're ready to issue findings. I think it would be difficult for this board since we only adopted the zoning in '04, '05 and '06, to start to implement moratoriums so honestly I don't know- I don't have an answer for you and I'm struggling like you because I know- I live there, I know what it is and I don't want single family residences on 25A and I don't want senior citizen nursing homes and things like that, but what do you put there?

And you have to give these people, Mr. Vento, value and so I've sort of said my piece.

Does the board have anything? I'm preaching here, so I have nothing else. Sid, unless you do?"

Sid Bail: "No. I have nothing much to say and I wish I had the wisdom to put it into some coherent form. It is problematic but you know as I said that if nothing is done, you're going to have a very, very different 25A in Wading River and I'm trying to take this out of the realm of politics. I'm not trying to put you per se on the spot or build you up either, but, you know, it's a cry for help."

Supervisor Walter: "Don't worry. Bernadette- you can't build me up because she's probably about to take her pound of flesh."

Sid Bail: "Well, you know, irregardless. It's- you know, the letter that was sent to you that you all of the town board- "

Supervisor Walter: "I haven't read it yet other than just now."

Sid Bail: "Please read it and please you know consider it."

You have a better option. Please, you know, go through. Because as I said if nothing is done, you know, I think it will be a very- the community as a whole loses."

Councilman Wooten: "I haven't had a chance to read it yet."

Councilman Dunleavy: "Sid, can I ask you a question?"

Sid Bail: "Yes, sir."

Councilman Dunleavy: "One of the pieces of property we're talking about on 25A, is it the same property that the Shoreham little league wanted to purchase to put little league fields there?"

Sid Bail: "Yes."

Councilman Dunleavy: "And the town board voted- rejected that at that time. Which would have been a great opportunity. I backed that. It would have been a great opportunity for to keep that open space and have ballfields there so our children could play on them and the town board- the other members of the town board at that time didn't think it was a great idea. And this is the kind of mess we get into when you don't want to do things like that."

Sid Bail: "You know the consultants, one of the things that they had recommended from the get-go for 25A was a public space along 25A and either- on that side of the road or across the street and across the street, Mr. Vento's parcel I think is 6 or 7 acres, but across the street you have over 20 acres- "

Supervisor Walter: "Yes. Been after them for a long time."

Sid Bail: "-- and Mr. Barra owns another piece there. So you have over 20 acres potential."

Supervisor Walter: "We're having enough time with Park."

Councilman Dunleavy: "And at that time we did have another legislator on our side to purchase that property with the County going to help us so we could put those ballfields there."

Sid Bail: "Anything you can do- "

Councilman Dunleavy: "Sometimes you do things and this is

what happens, you get into a bigger mess."

Sid Bail: "Thank you for your time."

Supervisor Walter: "Thanks, Sid. Let's talk about dogs."

Dominique Mendez: "I do care about dogs."

Supervisor Walter: "Well, let's talk about them."

Dominique Mendez: "I actually want to talk about Wading River. But I'm going to give the abbreviated version since a lot of this has been covered.

One, I do hope you take that letter and look at that letter seriously and consider it. You do actually have the authority as far as we know and the Group for the East End has researched this under State law, that you do have the authority to perform a DEIS, an environmental impact study, and we think that would be critical.

Wading River has changed over the years. There are new issues. There are new traffic patterns, new pressures for development and as Sid said, you know, if all this goes through Wading River will be a very different place. And not the place that we- that most of us moved there for.

And people really care a lot actually about what happens to Wading River. And I have some evidence of that with me. We trudged through the snow and soot and cold to collect signatures and believe me it was cold. And I think that these are a really small fraction of the residents who feel what I'm going to quote from the petition I have with me.

As a resident of the area I am concerned about a series of commercial proposals for Wading River that I feel could significantly change the character of this town and detract from the quality of life within it.

I do not think the immediate community can support significant additional retail including the proposed Knightland and Central Square Mall projects and fear that over-developing Wading River will change it from quiet hamlet to either a shopping destination or to a town blighted by empty stores.

I am also opposed to the town allowing commercial facilities to expand in residential communities including the Great Rock plan for a catering facility.

I implore the Riverhead town board to study these matters and to do all it can to preserve the town of Wading River and its neighborhoods before it's too late. Unquote.

I just wanted to hand that to you.

We'd have more but snow banks and the cold.

So as you know, so just please do seriously consider it. I mean when you speak to residents and, Sean, you may know this, I mean everyone, most of us say we moved here for a reason and we moved here to get away from that sprawl and there are things that the town board can do. Some things worth taking a risk and we think Wading River is worth taking that risk for. And hope that you'll heed the words of the residents and our concerns and environmental groups and civic associations and you know the clock is ticking."

Supervisor Walter: "The biggest problem for us is the risk we take if we institute a moratorium which I don't think there's going to be any support on this board for or to do something that would, you know, take away Mr. Vento's rights to construct what he's allowed to do now.

The risk we take is far worse by probably throwing the dice and leaving our hands- leaving our fate to the hands of men and women in black robes because they could come in and just say, that's it, you've got- the Park Road, Kenny Barra subdivision. You got the Zooma subdivision and you can't do anything about it.

And that's what I'm struggling with right now is- I can't- I don't think in my mind that's the right thing to do but I don't- I don't have the answer as to what the right thing to do is.

Maybe having the board require a limited scope GEIS, maybe that's- if the town board has the authority and they vote for it, that's what I would push and we'll get that answer shortly.

But I don't know what else, you know, we've just lost so many of these zoning cases and not to mention for a small town, we're spending way too much money in litigation and the residents, you

know, I don't know that the residents know how much we're spending.

Last year it was I think \$450,000 or close to— that's— if you could eliminate that, you could save two percent of your budget every year— tax increase every year."

Dominique Mendez: "Well there are things that you could do in two of them because two of them your boards do have grounds to— on the Knightland project to say that that goes above and beyond what the zoning allows. Clearly if you look at that (inaudible)."

Supervisor Walter: "That one we're waiting from Ann Marie Prudenti but we jammed her up with so many other things this week and the planning board I think is not going to move on Great Rock, Rick, until we get that final written opinion."

Dominique Mendez: "I just said Knightland but thank you for swaying to Great Rock."

Supervisor Walter: "Oh, I'm sorry. I switched you."

Dominique Mendez: "But, yeah, and Great Rock also, that's the other one where you do have, you know, every reason to deny a plan for commercial development in a residentially zoned area. There are, you know, I could list you 15 but we don't want to go through that again."

Supervisor Walter: "I'll read the letter."

Dominique Mendez: "No, the letter isn't all about— it's about the three issues. And so there are things that you could really concretely do I think in two of those issues with the existing laws on the books right now.

To say Knightland is way beyond what would be allowed is-- should be allowed in that zone because it's clearly destination retail and that would have to be significantly downsized. And there are things you can do with that plan but your planning board doesn't seem to be looking at any of those things.

I've attended the planning board meetings and they don't seem to be having issues with that or raising those issues."

Supervisor Walter: "There's something else you're going to be

happy to know and I haven't— well, I haven't done it yet because we've been sidetracked with a lot of things. But new in, just in, this is when the deputy gets mad at me because I go off script and I'm going off script here.

I am going to pose the question of requiring public hearings for site plans so that the residents have some input to the side plans."

Dominique Mendez: "That would be a wonderful idea."

Supervisor Walter: "That wasn't bad, right?"

Dominique Mendez: "That was actually going to be one of our next initiatives. So, you beat us to it."

Supervisor Walter: "You like that idea?"

Councilwoman Giglio: "Yes. We've been discussing— we're the only town that doesn't send out notifications for site plan approvals, only subdivisions. And you know site plans affect people's lives also.

One point that you brought up that was interesting or Sean might have brought it up in that the traffic is backed up.

When I lived in Wading River 15 years ago, I used to come down William Floyd Parkway to 25A and I'd go right to Hulse Landing Road and right down to the number streets. It was never a problem. Now it is a problem and these developments have not occurred.

So I think that we should all put our minds together and try to figure out ways to mitigate the problem for the proposed development rather than stopping what I feel is the inevitable based on the outcome of the lawsuits and the fact that the town never seems to win these lawsuits.

When you're fighting zoning that was put in place and people buy the property knowing what they can build, it's when you try and take that zoning away from them that we end up in years and years of litigation and animosity where the private developers do not want to work with the town to come to a suitable outcome and fix the problem.

So I don't know if the residents of Wading River want to see Route 25A widened all the way down from William Floyd Parkway to- "

Dominique Mendez: "Talk about changing Wading River."

Councilwoman Giglio: "-- Wading River Road or changing that intersection on Wading River-Manor Road and making it a four lane road. I mean, you know, these are things that you need now without this development and I just can't see fighting, keep going back to the courts, and keep fighting.

These judges are really getting alienated by the town of Riverhead because it's almost as if we're saying that whatever you say or whatever you put in your decisions we don't acknowledge and we're going to take it to the highest levels of the court and then we take it to the highest levels of the courts and we don't seem to have positive outcome.

So we're spending a lot of money doing that and I think that working with the developers and the zoning that they have and coming up with a suitable and a reasonable outcome, if everybody walks away from the table and no one's happy, then we did the right thing. Because it's- it can get very ugly out there."

Councilman Dunleavy: "Well, you know as well as I know it that the stores aren't causing the traffic there. Route 25A is just not built to handle the day traffic that comes out from visitors from the west end to the east end and going across the ferry.

You have the ferry traffic. You have the people that are coming out visiting the farms, pumpkins, apples, you have that traffic. So when you try to use that road on any given Friday or a Saturday or a Sunday, that traffic is backed up because of the day traffic.

I just think that we should petition the state to look at that road, to re-engineer it as far as traffic is concerned for all the traffic that uses that road and don't forget now you have the military cemetery, Calverton cemetery there, people are using 25A to go over to there.

So all that traffic, that road is not built for all that traffic. And I think we should petition the state to re-engineer

that road and look at all that and see what they can do for that road.

Thank you."

Supervisor Walter: "What did you do? Go around every house surrounding my neighborhood and then to all my friends and clients? Because I'm pretty sure- "

Dominique Mendez: "Just people in your neighborhood. Yeah, there is one person who was passing around said he did live close to you. He did mention that to me. Just people in different neighborhoods."

Councilman Dunleavy: "He wanted to see how many of his neighbors signed this, that's what he's looking for."

Dominique Mendez: "Your neighbors care about Wading River, too."

Supervisor Walter: "Did you stand in front of King Kullen to do this? Hold on guys. Did you stand in front of King Kullen?"

Dominique Mendez: "We spent some time in- if you're in Wading River, everyone goes to the King Kullen, right? That's where you meet everyone in Wading River. So we were out there in the parking lot, freezing cold. Yeah, again, that's why we didn't get more signatures because truthfully it was just too cold."

Supervisor Walter: "I think you made your point. Did you count how many signatures there are here?"

Dominique Mendez: "Yeah. We just got a couple more. I think we're over 420. Like I said we just started it last weekend and truthfully Sunday was just- it was just too cold to go out and there was too much snow. So it really limited our ability to get- to really reflect, you know, what people think. But I think you know."

Supervisor Walter: "Oh, look, Susan Cardinale signed. How did you get Susan Cardinale to sign? Vasso Petrikis, another good friend of mine."

Dominique Mendez: "Is it kosher for you to be reading the names on the petition?"

Supervisor Walter: "I was going to say her husband- "

Councilman Wooten: "You're right. This is not (inaudible)."

Dominique Mendez: "I wonder about that. Is that really appropriate?"

Councilman Wooten: "But I can't wait to read your letter. I haven't gotten a copy."

Dominique Mendez: "Okay, thank you. And I don't know that everyone would appreciate necessarily their names being read out loud at the town board meeting."

Supervisor Walter: "What? William Welch, Jr. Listen, ma'am, you submit it, I'm going to look at it."

Dominique Mendez: "Look at it okay. But reading the names out loud? Thank you very much."

Supervisor Walter: "I don't need copies. I looked at them all. Thank you. All right. Well, yes, the deputy supervisor would like copies. We want to know what houses we can't trick or treat at.

Pat Lynch, tell us something not about Wading River."

Pat Lynch: "Okay, I will."

Supervisor Walter: "Good."

Pat Lynch: "Can you hear me all right?"

Supervisor Walter: "Yes, we can."

Pat Lynch: "First of all, Pat Lynch from Southampton. I would like to begin by thanking Sean Walter, Supervisor Walter, for what he's done with the dogs with regard to the medical situation. I'm very grateful that the dogs have been tested and are being taken care of in a much better way medically than they were when Vince Taldone who couldn't be here today because of sickness in his family.

But his dog, Champ, as you know had everything imaginable and

did survive, \$1,200 worth of medical care and he was kind of the touchstone for what ultimately went on in a very positive way.

I'd like to also thank Councilman Wooten for his work on the medical side of it because we had personal conversations about certain of the dogs and I know that he played a great role in this. So I want to thank you both for that.

Now I have to go to something that isn't too pleasant. It's the Bruno situation that we discussed at the last meeting and Congressman Wooten, you were going to do an investigation."

Councilman Wooten: "Congressman, wow."

Pat Lynch: "Congressman, listen to me. I'm in the wrong (inaudible)."

Councilman Dunleavy: "Moving up fast. That's because of the dogs, you're moving up fast."

Pat Lynch: "I'm back at NBC. Councilman Wooten, I just wanted to ask you about the Bruno investigation please."

Councilman Wooten: "Yes?"

Pat Lynch: "Could you tell me about that? You said you were going to conduct one with regard to what happened to him on the 21st of December and the fact that maybe a day before or so he was going to be let out to the general population to be walked by certified volunteers."

Councilman Wooten: "Well, I think- normally when there's a town board meeting there's not- it's really not a (inaudible) for give and take. I don't normally answer direct questions from the public, but I can give you some information. Because this isn't really the forum for this."

Pat Lynch: "Yes. Things that you have gathered."

Councilman Wooten: "We did look into Bruno. There was some inconsistencies with his ultimate demise as opposed to what his condition was even 24 hours prior. It was very well vetted through the paper, a very good report in the paper which actually gave my findings about the investigation I did."

There was a question about the bite and whether it was actually the dog that did the biting and all that. But all that's been vetted and looked into. I know there's been some results through hearings and stuff that the supervisor has been working on with-through department heads.

So there are some outcomes coming out of that investigation because of the inconsistencies with it and hopefully other changes down the road as we progress."

Pat Lynch: "Would that include a better euthanasia policy?"

Councilman Wooten: "Actually there is a euthanasia policy that's just drafted through the animal advisory committee in Riverhead which is now sitting with the town attorney's office and there's a meeting tomorrow actually to look at that policy and how we come to the conclusion that a dog should be euthanized and who makes those decisions. That is going to happen tomorrow."

Pat Lynch: "Okay. One of the things that of course puzzles me as a result of reading extensively on this bite report, was that the person who brought the dog in said that he was breaking up a dog fight and in that process there was some superficial wounds that occurred as a result of the dog fight which is obviously a natural thing to happen.

To euthanize a dog that may not have even been the dog- were you able to determine if Bruno was the dog that actually, you know, was involved in the dog fight?"

Councilman Wooten: "I don't think anybody can say for certain whether it was or wasn't."

Pat Lynch: "In my former duties as a reporter, I did make an effort to reach- "

Councilman Wooten: "Well the gentlemen who surrendered the dogs, obviously surrendered it for that reason so we don't- we really don't know."

Pat Lynch: "Well, I made the effort to reach this gentleman, the young man who was about 22 years old as I understand it, who actually owned that dog and other pitbulls, but he did not return any of my phone calls so I couldn't get- "

Councilman Wooten: "Nor mine."

Pat Lynch: "You had a similar experience?"

Councilman Wooten: "Nor mine. Yup."

Pat Lynch: "So I couldn't really find out much about the Bruno situation except for the fact that they were very minor injuries but for those minor injuries as was reported in the newspapers very extensively as you said, for that period of time of October 7th until his demise on the 21st of December, he was kept in incorrigible conditions, the kind of conditions that were written up in Newsday on Sunday, in sections of Newsday after they went through the salaries- "

Supervisor Walter: "Miss Lynch, I don't think that's accurate. That is really not accurate."

Pat Lynch: "No. I'm talking about conditions in that shelter that he was kept under- "

Supervisor Walter: "Miss Lynch, I'm sorry, but that is not accurate. The conditions of our shelter are very good. They don't sleep on cold floors. As you saw, they're getting veterinarian care. They- "

Pat Lynch: "Now they're getting veterinarian care."

Supervisor Walter: "The- you- don't even- it's apples and oranges. And we don't have- how many people, six people making over \$100,000 a year at the shelter.

But the animals are cared for. I think they sleep on crates. They're not on the floor."

Pat Lynch: "No. That is not the part of it I'm talking about. The part that I'm talking about is the part that I hear- "

Councilman Dunleavy: "No, but you held up the paper which referred to that you were talking about that article."

Pat Lynch: "Okay. There are sections of the article that talk about bad conditions in the shelter. Let's disregard that for

a second and deal with what I'm told from Ray the trainer who volunteers his time and goes there every Saturday.

And what he tells me is that he sees a skeleton staff, dogs that are restless and hard to deal with because they're not being walked enough by- there aren't enough volunteers. I know they're working on the volunteer issue which is a good thing. But the dogs are very, very restless and he's very concerned about it.

And that's why he goes and gives his time freely and I think ultimately he'll also be able to help you in the issue of the behaviorist part of it, too. So decisions will be made not on the words of an animal control officer and a vet but instead a person who is a dog person. And I think that's a very good thing to consider that you might be doing that.

What I'm interested in is I- we spoke on the radio, on WLNG, you and I very briefly, and you said on the radio interview- "

Councilman Wooten: "92.1."

Pat Lynch: "-- I'm sorry."

Councilman Wooten: "I was just giving the- 92.1."

Supervisor Walter: "Oldies station and lives in Riverhead."

Pat Lynch: "Dan Dupree (phonetic) would be happy that we gave him that little (inaudible)."

But during that interview, you talked about one of your employees did not tell you the truth."

Supervisor Walter: "That's correct."

Pat Lynch: "Did not tell you the truth about that- "

Supervisor Walter: "That issue has been dealt with."

Pat Lynch: "I wanted to tell you- how was that dealt with? Is he still there?"

Supervisor Walter: "I can't talk about personnel issues. As an investigative journalist I think you can appreciate that."

Pat Lynch: "One as important as that? When a person- "

Supervisor Walter: "I think as an investigational journalist, you understand that personnel issues in a public forum are off limits. You should understand that. It's been dealt with and suffice it to say- "

Pat Lynch: "He's still there. I saw him outside just a little while ago."

Supervisor Walter: "Suffice it to say it's been dealt with and we can't really discuss any more than that."

Pat Lynch: "So is he going to continue to be there or are you restructuring as we read in certain papers?"

Supervisor Walter: "I can't- we're not going to discuss any more. It would be inappropriate."

Pat Lynch: "I think it's inappropriate not to address it. I mean the fact is the dog died- "

Supervisor Walter: "In this forum it is completely inappropriate to address."

Pat Lynch: "A dog died unnecessarily in very bad situation from October 7th to December 21st, I think it's a reasonable question to say the man who made that decision is still with the shelter and that should be known by the Riverhead taxpayers who are paying his salary."

Councilman Wooten: "I think it's probably safe to say that there's a lot of discussion and a lot of efforts on both the supervisor and myself and the animal advisory and Councilwoman Giglio to address all of the concerns that we are all so well aware of and to remedy them in the near future."

Pat Lynch: "And I have one last thing I would like to bring up for myself. It's been seven or eight weeks since I've been able to even go there to socialize an animal. I think that's rather a loss since I've owned nothing but shelter animals since I've been in Southampton which is 30 years and all my dogs are shelter dogs. And I take very good care of them."

They're also what we would call bite dogs. I rehabilitated them myself so I really care what happens to them and I'm very good—I can give very good pitches to get dogs adopted. I'm very good at that.

And to have me sit on the fence and not be able to go there because the— Lou Coranazi (phonetic) let's use the name, was the one that said certain things about me that were unfair. And on his word, on his word, and whatever he said about me, I'm sitting on the fence and that's not fair to me and I'm very, very angry. And I'd like it to end as soon as possible. I don't think it's fair.

I have a lot to give the dogs. I'm not being able to give it to them."

Supervisor Walter: "Thank you."

Pat Lynch: "Thank you for your time."

Councilman Wooten: "Thank you."

Supervisor Walter: "Take care."

Councilwoman Giglio: "Sal, the resolutions are adopted already."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. Quick question. It's February 1st. There's an eyesore up on Route 25 called unfinished ballfields. Is there any plan to get those things open by the spring so we could use them this year?"

Councilwoman Giglio: "Yes. A couple of weeks ago the supervisor authorized me to start to be able to use our engineering department and other offices throughout the town and we are clearing up some outstanding items and I have spoken to the health department and we have correspondence going back and forth to the health department.

We're clearing up some issues with title reports that the county requires. This is the bureaucracy and red tape. The county is saying subdivide the ballfields out and then we'll let you open them up. And we're saying but you want us to do these wildlife studies, you want us to do egg counting of tiger salamanders, you want us to study the whole property before you let us use these

ballfields. And they want us to connect to the sewers which was the cost of over a million dollars.

So now the county is working with us. They're going to let us put in a temporary system and the engineering department has designed that and has submitted that to the health department last week. We should have an answer back on that.

And then we need to get through the covenant issue because they want us to do a title certification for the entire piece of property and have everybody that owns property within the Calverton site sign off on the covenants and restrictions saying that when the sewers are available we'll abandon the sanitary system and connect to the sewers.

So that's the hurdle that we're trying to get through now. Councilman Gabrielsen has been working very closely with the DEC. We're going to be open hopefully by April."

Councilman Gabrielsen: "The other issue we had was with the DOT with a turnoff and to get into the- curb cut so to speak. But we did get a temporary permit from them to open. So now it's the line striping, whatever, to get in and out. So the engineering at this time, the engineering department is putting together a bid package that would go out to bid so we should be ready to open that up this spring."

Councilwoman Giglio: "And that's another interesting thing. The DOT wanted us to put- the New York State DOT wanted us to put sidewalks all up and down Route 25 that would eventually connect to nowhere."

Supervisor Walter: "No. Sal would use them. Sal walks that. He walks that. I see him picking up bottles."

Sal Mastropaolo: "Occasionally."

Councilwoman Giglio: "So we're underway. I mean the DOT said you can go ahead and do it with this line striping and then a month later they sent us another letter saying, no, we'd rather see it like this. So, hopefully, this is the final revision and we'll be on our way."

Sal Mastropaolo: "Thank you."

Supervisor Walter: "All right. Does anybody else wish to be heard today? There— Steve, we almost got out."

Steve Romano: "I know you guys probably just caught your breath in regards to the budget but as I think we all are aware, Gov. Cuomo has introduced the property, 2% tax cap. The State Assembly— no, I'm sorry, the State Senate has passed it."

Supervisor Walter: "We sent a home rule message— well, it wasn't really a home rule message, but it was a resolution— I don't think we did it in the form of a home rule, but we sent a resolution supporting that effort about the first meeting in January I think."

Steve Romano: "Well, the question that I would have is I can't— I've only been a resident of Riverhead for six years, but based on what I know, I don't think there's ever been a budget that's been presented in the last 20 years that's been less than 2%. Would you guys be able to actually produce a budget that's less than 2%?"

Supervisor Walter: "Lord have mercy. If the state would stop dumping, that's the— if the state— we'll give you the pension system.

They increased our pension costs I think a million dollars, Bill, was it somewhere in the 12 to 15% increase, and they are sitting on a tremendous amount of our money. They didn't have to ask us for any additional money.

If the state and the pension system backed off on that, probably we wouldn't have— our tax increase would have been zero this year between the state and the pension system. They single handedly increased our taxes, let's say, doing the math, 6% if we didn't make cuts. They alone increased the Riverhead taxes.

So the short answer is we're going to do everything we can if they do everything they can. Yes, we can live within 2%. If they keep increasing our costs 6%, I don't know how the heck they expect us to increase— only increase taxes 2%. So I'm hoping that they do their part."

Councilman Dunleavy: "They do their part. What they do is send us back unfunded mandates."

Steve Romano: "That was the question I was going to ask, Sean."

Councilman Dunleavy: "And the unfunded mandates— they're saving 2%, we have to find a way to fund those and to keep it down. So it's hard for us because we're the lower— we're the lowest of low in taxes. We have to. So if they keep giving us the unfunded mandates like they did with the dogs and they— with the storm water runoff, it's going to be hard for us to keep it as 2%. And I don't care what anybody says, okay. It's going to be hard for us to keep it at 2%."

Councilwoman Giglio: "Right. And now they say that they are business friendly and they want businesses to flourish, but now they've told contractors that not only do you have to have worker's comp, but you have to have disability. And you have to prove it to move it is what they're calling it from the state.

But the state no longer wants to look at your paperwork to make sure you have insurance, they're giving it down to the towns to do. So where they're telling us that they're business friendly and they want to move things forward, they've implemented the storm water pollution plans that's a manual that's about this thick, that you have to dig a trench for 700 lineal feet and put up a (inaudible) so that sand doesn't run off of your property into a freshwater wetland.

You have to take into account tributary areas. So if you have a farm that's next to you and you want to develop your site, you have to account for the runoff from that farm on your site to make sure that it doesn't go any further.

The unfunded mandates just keep coming. The state is saying we're going to make the rules and you know what municipalities, you're going to enforce them and we've had to hire engineers, we've had to buy computer programs for dog licenses. I mean it just doesn't stop.

They're standing up there making legislation and rules and saying, and we're no longer going to look at them, fund them. We're going to lay people off. We're going to cut down state taxes but we still want our hand in the cookie jar.

So you've got to start yelling at your state officials. I know

I will be."

Councilman Dunleavy: "I didn't hear what she just- I didn't hear some of it. But we have to enforce- we have to enforce it and the fines that we get, go to the state. So they're telling us to enforce it and send the fines to the state."

Supervisor Walter: "All right, let Councilman Gabrielsen-"

Councilman Gabrielsen: "I want to say a word. What you said at first is interesting, like Cuomo, whoever in the state who said we're going to cap at 2%. But they're shifting the burden of the cost to the municipalities, the small guy."

It's like me saying I can keep it 10%. If I had the power to shift it up to Albany, I can make the same promise. It's kind of silly."

Steve Romano: "Well, what I was going to suggest is I don't know if you can get together with the other towns, send a letter to the state saying, listen, rather than the 2% cap, release us from all the unfunded mandates and we can easily bring in a zero percent because it's really ridiculous. But the bottom line the reality is going to be if they pass this what action would you have?"

Either you don't do the unfunded mandates and you face the fines and you don't pay them and what's the liability? That one of you guys go to jail if that happens? I don't know."

Supervisor Walter: "Well, the resolution that we passed as I-

Councilman Wooten: (Inaudible)

Supervisor Walter: "-- the resolution that I passed also- that we passed, now this is going back a month so my memory may be foggy. I believe the resolution spoke about unfunded mandates that implement the caps. But you have to do away with the unfunded mandates. So you can't do one without the other."

Steve Romano: "Has anyone done a study of what actually- what the total cost is to even, you know, it don't have to be 100% accurate, what the town is actually paying?"

Supervisor Walter: "No. I don't have- it's probably the association of towns and other agencies have done it. I don't know. I can just tell you that 6%-- they increased our costs for '11, 6%."

Steve Romano: "Thank you."

Supervisor Walter: "Thanks. Anybody else wish to be heard? There being nobody, can I get a motion to adjourn?"

Councilwoman Giglio: "I make a motion to adjourn."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Meeting adjourned: 4:22 p.m.

Clare M. Wilhelm
Town Clerk